

INCOMING TELEGRAM

Department of State

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Action

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TO: Secretary of State

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RE TOSEC 96

APPRECIATE IMPORTANCE OF SHOWING U.S. SUPPORT FOR
ADJUDICATION OF INTERNATIONAL DISPUTES BUT UNDER EXISTING
CONDITIONS BELIEVE SOVIETS WOULD CONSIDER ICJ SUGGESTION AS
A SIGN OF WESTERN WEAKNESS ON WHOLE BERLIN ISSUE. WORLD
OPINION MIGHT ASSUME WE HAD ALREADY DECIDED ON SUBMISSION
TO ADJUDICATION FOR SOLUTION BERLIN ISSUE (RATHER THAN AS
ELEMENT PRESENT CONTINGENCY PLAN RELATING TO POSSIBLE U.N.
ACTION). OFFER MAY ALSO HAVE DEMORALIZING EFFECT ON WEST BERLINERS.
ACCORDINGLY, BELIEVE THIRD PARAGRAPH PROPOSED REPLY SHOULD
BE STRICKEN. NO INDICATION HERE OF BRITISH OR FRENCH FOREIGN
OFFICE VIEWS. ARE INFORMING BRITISH FRENCH HERE OF THIS
DECISION.

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BY HR-M/SG 5/23/81

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